

REMARKS

Claims 31, 71, 76-82, 84-85, and 91-121 are pending. Claims 96-98 and 100 have been amended to clarify that “the compound is” an α 2M receptor fragment, and claims 112 and 115 have been amended to correct dependencies to delete claim redundancies. Claims 94, 96-100, 111, 112, and 115 have also been amended to recite “alpha (2) macroglobulin” rather than “ α 2M.” Claims 113, 114, and 116-120 have been canceled without prejudice as redundant in view of claims 95, 96, and 97-101, respectively.

In the September 20, 2005 Office Action, the Examiner required Applicants to elect a single disclosed species from each of the following two groups of allegedly distinct species of the claimed invention:

- (a) peptide sequences (claims 95 and 113): SEQ ID NOS: 8-19; and
- (b) peptide sequences (claims 101 and 120): SEQ ID NOS: 20-22 and 54-57.

The Examiner stated that the claims shall be restricted to the elected species if no generic linking claim is finally held to be allowable. The Examiner identified claims 95, 101, 113, and 120 as generic.

In response, Applicants provisionally elect, with traverse, the following species: (a) the α 2M peptide consisting of amino acids 1314-1451 (SEQ ID NO: 9); and (b) the α 2M receptor peptide consisting of the amino acids of SEQ ID NO:21.

Applicants understand that, should the requirement for a species election be maintained, upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim pursuant to 37 C.F.R. § 1.141. Claims readable on the elected species of (a) are claims 31, 71, 76, 80-82, 84, 85, 91, 94, 95, 103, 106, 107, and 110-112. Claims readable on the elected species of (b) are claims 31, 76, 80-82, 84, 85, 91, 96, 101, 104, 107, 110, and 115. Applicants submit that claims 31, 71, 76, 80-82, 84, 85, 91, 94-96, 101, 103, 104, 106, 107, and 110-112 are generic to at least one of the elected species (Applicants note that the claims identified by the Examiner as generic did not include all of the claims deemed by Applicants to be generic).

Applicant respectfully requests that the present amendments and remarks be entered and made of record in the instant application. An early allowance of the application is earnestly requested. If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same.

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Respectfully submitted,

 32,605
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